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MEMO ENDORSED

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July 1, 2008

BY HAND

Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Kojak Carter et al. v. The City of New York et al., 07 CV 11598 (LAK)

Dear Judge Kaplan:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and counsel for defendants City of New York, New York City Department of Homeless Services and Omar Santos. I write on behalf of both parties to respectfully request a sixty-day extension of discovery, from July 5, 2008, to September 3, 2008. This is the parties' first request for an extension of time to complete discovery.

As an initial matter, defendants have served their first set of discovery demands and anticipate that plaintiffs will respond to same in accordance with the federal rules. In addition, defendants have also served plaintiffs with Rule 26(a)(1) Initial Disclosures as well as Notices of Deposition. In addition, defendants only recently received the file of the investigation into the underlying incident and will provide same to plaintiffs expeditiously. However, an initial review of these records indicate that some may be confidential and/or privileged. Accordingly, should a Stipulation of Confidentiality be necessary, defendants will prepare same and forward it to plaintiffs' counsel for review and execution before production of the records.

In addition, there are 3 other individually named defendants that are no longer employed by the Department of Homeless Services and will not be represented by this office. I have provided Ms. Weber with the service information that was available to me at the time for the remaining 3 individuals. However, it appears that only one of those addresses was accurate at the time plaintiff attempted service. On June 10, 2008, I was able to provide Ms. Weber with the

*Time extended
until 8/1/08*

SC ORDERED

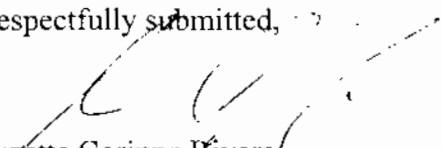
LEWIS A. KAPLAN, U.S.D.J.

most recent address of one of the remaining 2 individual defendants. The extension will allow plaintiff to again attempt service on these individuals.

In view of the foregoing, it is respectfully requested that the Court grant the within request extending discovery until September 3, 2008.

Thank you for your consideration in this regard.

Respectfully submitted,



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Special Federal Litigation Division

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Rose Weber, Esq.